

Samy Limited - Application for Premises Licence - Unit C, Rede House, 66-77 Corporation Road, Middlesbrough – Notice of Decision of Licensing Sub-Committee on 10 May 2018

1. The Committee considered an application for a Premises Licence under Section 18 of the Licensing Act 2003 (“the Act”) to sell alcohol off the premises in respect of premises at Unit C, Rede House, 66-77 Corporation Road, Middlesbrough TS1 1LY between the proposed changed hours of 8.00am until 10.00pm daily. The Applicant is Samy Limited
2. The Committee noted that as relevant representations had been received to the Application a hearing must be held. The Committee noted under Section 18 of the Act that it must, having regard to the representations, take such steps if any as it considers appropriate for the promotion of the licensing objectives. The steps are to grant, to grant with conditions and /or modify conditions in the operating schedule, to exclude a licensable activity, to refuse the Designated Premises Supervisor or reject the application.
3. The Licensing Objectives are the promotion of the prevention of crime and disorder, public nuisance, the protection of children from harm and public safety.
4. The Committee carefully considered the Application on its own merits, it carefully considered the representations by the Applicant, the Responsible Authorities and the Councillors who made relevant representations, the Council’s Statement of Licensing Policy and Guidance under Section 182 of the Act.

Decision

5. The Committee decided to grant the Premises Licence to sell alcohol between 8.00am and 10.00pm daily subject to the modification of the conditions by deleting the proposals in the operating schedule and imposing the conditions agreed between the Applicant, the Police, Public Health and Trading Standards produced at the hearing.

Reasons

6. The Applicant amongst other matters informed the Committee that the Application should be granted subject to the amended conditions for the hours between 8.00 am and 10.00pm daily. The Applicant informed the Committee, in summary, that the original application was drafted in general terms in order for discussions to be had with the Responsible Authorities to identify what would resolve their concerns. The Applicant has a professional operation and will be investing heavily in the premises. It is not a small corner shop it is a mini supermarket with the investment to ensure the robust conditions will be met. Alcohol is only a small element and they will offer a full range of convenience goods. Outside professional training will be provided to staff. At least two staff will be present on each shift one of which will be qualified and have a Personal Licence. They will not sell high risk alcohol and the police, public health and trading standards have confirmed they consider the proposals with the conditions will not be detrimental to the objectives. The Applicant confirmed the franchise was with Londis who provides the produce. The Applicant confirmed that Londis can comply

with the requirements in the conditions. The premises will also have Costa Coffee available. The Applicant advised it will enhance the area.

7. The Responsible Authorities agreed to the operation subject to conditions between the hours of 8.00am and 10.00pm. They were satisfied that the Applicant could ensure the conditions would be complied with and that they considered it to be professional responsible operation. They considered that the restrictions are aimed at preventing street drinkers, problem drinkers and those who go on to cause problems in the town. The Responsible Authorities confirmed they considered the application would not be likely to add to the problems in the area within the cumulative impact policy.
8. The Ward Councillor objector informed the Committee that it is within the cumulative impact area and there are serious alcohol related harms in the area. A high number of harms occur during the hours of operation and the Ward Councillor would like to see the hours further curtailed to 9am to 9pm to reduce the risk of those harms.
9. The Committee is satisfied that there is good reason to depart from its cumulative impact special policy in this particular case and grant the Application subject to the restrictions as it considers it will be unlikely to add to the problems in the area.
10. The Committee determined that the proposed operation as a mini market with alcohol being a small percentage of stock displayed, investment in the premises, responsible management and the specific conditions targeted to address the concerns in the area would result in the premises promoting the licensing objectives.
11. The Committee noted that in addition to the restrictions, the Responsible Authorities have confidence in the proposed Licence Holder, the operation and management of the Premises. It was also noted that the Premises Licence Holder will work with the Police and the Council so that issues will not arise.
12. It was noted that the Ward Councillor requested the hours to be reduced because of the amount of incidents in the area during its time of operation. However the Committee did not consider that was an appropriate step in the circumstances.
13. The Committee acknowledged there are a large number of alcohol harms in the area of the town centre.
14. There are many incidents that occur between the hours of 8.00am and 10.00pm, but the incidents appear to be a lot less during the hours of 8.00am and 9.00am and 9.00pm and 10.00pm. The cause may be the availability of alcohol generally or irresponsible premises, however, the Committee did consider that the Responsible Authorities had confidence in the Applicant and that his restricted operation within the amended hours of 8.00am until 10.00pm would not impact on those current problems.
15. The Committee considered that the restrictions in place and the operation will mean the mini supermarket will be ran responsibly and will promote the objectives.

Dated 14 May 2018